



300 New Jersey Avenue NW, Suite 900  
Washington, D.C. 20001  
(202) 651-2475 | [www.alilockwood.com](http://www.alilockwood.com)

February 23, 2024

***Via CM/ECF***

The Honorable Claude M. Hilton  
U.S. District Court for the Eastern District of Virginia  
Albert V. Bryan United States Courthouse  
401 Courthouse Square  
Alexandria, VA 22314

**Re: *Lowy v. Daniel Defense, LLC, et al.*, Case No. 1:23-cv-01338-CMH-IDD**

Dear Judge Hilton:

Plaintiffs in the above-captioned action write concerning the untimely motion to dismiss filed by Defendant FAB Manufacturing & Import of Industrial Equipment, Ltd. (“FAB Manufacturing”) on February 16, 2024.

In early November 2023, counsel for Plaintiffs asked counsel for Defendant FAB Defense, Inc., a Florida corporation believed to be a subsidiary of FAB Manufacturing, if they would accept service on behalf of FAB Manufacturing. FAB Defense’s counsel’s response was that they were not authorized to accept service on behalf of FAB Manufacturing. Shortly thereafter, on November 19, 2023, FAB Manufacturing was served with the Lowy Complaint, in accordance with Hague Service Convention on the Service Abroad of Judicial and Extrajudicial documents. *See* ECF Nos. 184 & 193-1. Plaintiffs received proof of service of the Lowy Complaint on FAB Manufacturing from the Legal Advisor to the Administration of Courts in Israel on February 5, 2024, and the same day filed the Return of Service. ECF No. 184. Because FAB Manufacturing’s deadline to answer or otherwise respond to the Lowy Complaint was more than two months ago (December 11, 2023), Plaintiffs filed a Request for Certificate of Default on February 16, ECF No. 193, which the clerk entered on February 21, ECF No. 194.

Given the entry of default, Plaintiffs presume that FAB Manufacturing’s motion to dismiss is moot. In the event the Court determines that a response is required, Plaintiffs respectfully request that the deadline for any such response be set at 14 days from the date of such determination.

Respectfully submitted,

*/s/ Kathryn M. Ali*

Kathryn M. Ali  
ALI & LOCKWOOD LLP